

ITEM NO.29

COURT NO.11

SECTION IV-C

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 567/2024

(Arising out of impugned final judgment and order dated 19-09-2023 in FA(MAT) No. 64/2022 passed by the High Court Of Chhatisgarh At Bilaspur)

PETITIONER(S)

VERSUS

RESPONDENT(S)

(FOR ADMISSION and IA No.256528/2023-EXEMPTION FROM FILING O.T. and IA No.256527/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS )

Date : 18-03-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI  
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Kaustubh Shukla, AOR  
Mr. Saurabh Singh, Adv.  
Mr. Mainak Sarkar, Adv.

For Respondent(s) Mr. Dushyant Parashar, AOR  
Mr. Dinesh Pandey, Adv.  
Mr. Manu Parashar, Adv.  
Mrs. Neha Shanker, Adv.

UPON hearing the counsel, the Court made the following  
O R D E R

1. On the last date of hearing, having interacted with learned counsel for the parties, it was noticed that the respondent-wife did not have access to the minor son of the parties, who has been in care and custody of the

petitioner-husband. As a result, in the first instance, it was deemed appropriate to direct the petitioner-husband to give access of the minor son to the respondent-wife. He was directed to drop the minor child at the place of residence of the respondent-wife i.e. the ancestral home of the petitioner-husband, on every weekend, i.e. on every Saturday and Sunday between 4.00 pm and 6.00 p.m.

2. Today, learned counsel for the respondent-wife states that the petitioner-husband has created all kinds of obstacles in the access of the minor child to the respondent-wife, inasmuch as he has not adhered to the time line for dropping the child at the residence of the respondent-wife, he has insisted that the child meets the mother at the Porch instead of going inside the house, that the child was not brought to meet the respondent - wife on 18<sup>th</sup> February, 2024 and, lastly the child has been cautioned not to consume any food while with the respondent-wife.

3. The aforesaid submissions are, however, disputed by learned counsel for the petitioner-husband.

4. It is deemed appropriate to direct the Secretary of the District Legal Services Authority to appoint a para legal volunteer to pick up the child from the residence of the petitioner-husband at 3.00 p.m. on every weekend (i.e. Saturday and Sunday), drop him at the residence of the respondent-wife at 4.00 p.m. and pick up the child back at 6.00 p.m. to drop

him back at the residence of the petitioner-husband. Besides the actual transport expenses, a sum of ₹1,000/- (Rupees One Thousand) per visit shall be paid by the petitioner-husband to the para legal volunteer.

5. A copy of this order shall be forwarded by the Registry forthwith to the Secretary, District Legal Services Authority, Bilaspur for perusal and compliances.

6. List on 03<sup>rd</sup> May, 2024.

7. In the meantime, the parties shall take the talks of settlement further and report settlement, if any, on the next date of hearing.

**(POOJA SHARMA)**  
**COURT MASTER (SH)**

**(NAND KISHOR)**  
**COURT MASTER (NSH)**